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Please Note: IF THERE IS ANY CONFLICT NOTED BETWEEN THE INFORMATION PROVIDED IN THIS KIT AND THE NOTICE OF FUND AVAILABILITY (NOFA) OR THE PROGRAM REGULATIONS (24 CFR 953), PLEASE BE ADVISED THAT THE CONFLICT IS UNINTENTIONAL AND THE LANGUAGE IN THE NOFA OR THE REGULATIONS WILL PREVAIL.

PART I--GENERAL INSTRUCTIONS

A. Summary Information

1. Purpose. The purpose of the Community Development Block Grant Program for Indian Tribes and Alaska Native Villages is to assist eligible applicants to develop viable communities, including decent housing, a suitable living environment, and economic opportunities, principally for persons of low- and moderate-income. The assistance provided is for activities that further this objective.

2. Authority. The Indian Community Development Block Grant (ICDBG) Program is authorized by legislation codified at 42 USC Section 5301, et. seq. Applicants should review the regulations (24 CFR part 953) and the Notice of Fund Availability (NOFA) before preparing an application in order to be familiar with program requirements. By submitting an application and executing a grant agreement if the application is approved, the applicant agrees to comply with all statutory, regulatory, and other legal requirements applicable to the program, and to carry out the program described in the application as approved by HUD.

3. Eligible Applicants. Eligible applicants are any Indian Tribe, Band, or Nation, including Alaska Indians, Aleuts, and Eskimos, and any Alaska Native Village of the United States that is considered an eligible recipient under Title I of the Indian Self-Determination and Education Assistance Act (25 USC 450) or which had been an eligible recipient under the State and Local Fiscal Assistance Act of 1972 (31 USC 1221). Eligible recipients under the Indian Self Determination and Education assistance Act will be determined by the Bureau of Indian Affairs. Eligible recipients under the State and Local Fiscal Assistance Act of 1972 are those that have been determined eligible by the Department of the Treasury, Office of Revenue Sharing.

Tribal organizations that are eligible under Title I of the Indian Self-Determination and Education Assistance Act may apply on behalf

of any Indian Tribe, Band, Nation or Alaska Native Village eligible under that act for funds under this part when one or more of these entities have authorized the Tribal organization to do so through concurring resolutions. Such resolutions must accompany the application for funding. Eligible Tribal organizations under title I of the Indian Self-Determination and Education Assistance Act will be determined by the Bureau of Indian Affairs.

To apply for funding in a given fiscal year, an applicant must be eligible by the application submission date.

4. Application Deadline. The deadline time and date for submission of the application is specified in the NOFA published in the Federal Register. One originally signed application and two (2) copies must be received in the HUD Area Office of Native American Programs (ONAP) serving the area in which the applicant's program is located by 3:00 P.M. on the deadline published in the NOFA or they will not be accepted. See the list of Native American Program offices shown in the NOFA. Applications sent by facsimile will not be accepted. You will be notified if your application has been received.

5. Scope of Proposed Program. An applicant may apply for more than one project in a single application, but HUD will not accept an application from any applicant that requests more than the maximum grant amount established by each Area ONAP as published in the NOFA.

6. Final Assembly of Application. The completed forms contained in this application packet, including all certification forms, and your criteria responses, resolutions, exhibits, and attachments should be submitted. Upon assembling the application, please (a) number every page of the application sequentially, and (b) tab each exhibit. Be sure to respond to all applicable criteria for your project category.

7. Further Information. If you have any questions regarding your application or any other aspect of the program, call the HUD Area ONAP serving your community, as listed in the NOFA.

B. Acknowledgement of Application Receipt. See Appendix.

C. Application Checklist

- ☐ 1. **Application for Federal Assistance**, (SF-424).
- ☐ 2. Community Development Statement that includes:
 - ☐ a. Components that address the relevant selection criteria.
 - ☐ b. A brief description of community development needs. (The use of form HUD-4121, **Needs Description**, to provide this information is optional).
 - ☐ c. A brief description of the project(s) proposed to address the needs identified, including scope, magnitude, and method of implementing the project. (The use of form HUD-4122, **Project Summary**, to provide this information is optional).
 - ☐ d. A schedule for implementing the project. (The use of form HUD-4125, **Implementation Schedule**, is required).
 - ☐ e. Cost information by project, including specific activity costs, administration, planning, and technical assistance (if any), other dollars to be included in the project, and total HUD share. (The use of form HUD-4123, **Cost Summary**, is required).
- ☐ 3. Certifications providing accountability in the provision of HUD assistance, (form HUD 4126, **Certifications**). This form is required.
- ☐ 4. Drug-free Workplace Certification (24 CFR part 24, Appendix C).

- ☐ 5. **Applicant/Recipient Disclosure/Update Report** (form HUD 2880). This form is required.
- ☐ 6. A map showing the project location, if appropriate.
- ☐ 7. Displacement or temporary relocation information (if applicable).
- ☐ 8. Evidence of public disclosure (if applicable, see 24 CFR 953.606, **Conflict of Interest**).

SPECIAL PURPOSE FORMS

- ☐ 9. Demographic Data Certification and Survey Form.
- ☐ 10. Concurring resolutions if the application is prepared by a "Tribal Organization" for one or more eligible applicants.

D. Application Components and Forms - Required, Optional and Special Purpose

In this section a brief description of the various application components together with guidance regarding how to best provide the information required is provided.

1. Application for Federal Assistance, SF 424. This form has not changed in a number of years and should be familiar to anyone who has applied for Federal funds. Please note the following:

- The Catalog of Federal Domestic Assistance (CFDA) number for the ICDBG Program is **14.862**.
- In **Section 15, Estimated Funding**- list only the ICDBG funds requested under **15a-Federal**. If Federal funds other than ICDBG will be involved in the project, e.g. funds from IHS, list them under **15e-Other**. Tribal resources committed to the project may be listed under **15b-Applicant** or **15d-Local**. Please make sure that the amounts and the sources indicated in this Section are in agreement with what is listed on the **Cost Summary**, form HUD 4123.
- In **Section 16**, check the box **16b**-No.

2. Community Development Statement

a. COMPONENTS THAT ADDRESS THE RELEVANT SELECTION CRITERIA. This section of your application should include that information necessary to address the selection criteria and any project specific thresholds established for the type of project for which your Tribe has applied. Be specific- be careful to address all aspects of each relevant criterion. It is important that these criteria be addressed as completely as possible since no opportunity will be provided to submit additional information to address them once the application is submitted. If there are any questions regarding under what project selection criteria your project will be rated, please contact the Area ONAP that serves your community for clarification prior to the submission of the application. (There is no required or optional form upon which this information must or could be provided.)

b. A BRIEF DESCRIPTION OF COMMUNITY DEVELOPMENT NEEDS. It is very important to provide as much relevant data and narrative information you feel is necessary to adequately describe the community development need(s) of your Tribe. The severity, magnitude and immediacy of the need(s) should be emphasized in this description. This information may be provided on form HUD-4121, **Needs Description**, but the use of this form is not required.

c. A BRIEF DESCRIPTION OF THE PROPOSED PROJECT. The information provided in this application component should describe the scope, magnitude and method of implementing the project proposed to meet the need(s) described. It should also clearly establish that the two sub-thresholds set forth in § 953.302(a)(A)(1) and (2) are met by the project, specifically that the project costs are reasonable and that the project is appropriate for the intended use. (See the discussion of the **Community Development Appropriateness** threshold below). The unit or component costs of the project should be provided as well as on what basis and by whom they were estimated. The inflation rate, other relevant cost indices and the number of months it is anticipated that it will take to go out to bid or commence construction should be taken into consideration.

It is in this component that data should be provided on the service area population of the project including the number and percent of these persons who are of low or moderate income status. The income levels to be used by applicants to evaluate the income characteristics of the service area population of a proposed project will be provided by the Area ONAP that serves your community. Please see the section below, Demographic data requirements - certification and survey form to determine what supporting or backup information will have to be provided for this data.

For tribes that are interested in including a planning project in their applications, please note that no more than twenty percent of the total grant award may be used for planning and administrative activities. One consequence of this restriction is that HUD cannot fund an ICDBG program which consists of only a planning project. A guidance document- **Guidelines and Recommendations to Support Requests for Planning Projects**- is included in Part IV B of this kit.

For Tribes that are interested in including a technical assistance project in their application, please note that as indicated in § 953.203(b), technical assistance costs cannot exceed ten percent of the total grant award. A definition of technical assistance is provided in this regulatory section. A direct relationship must be established between the proposed technical assistance activities and ICDBG projects the Tribe currently has underway or those also included in the application.

(The information provided to address this application component may be provided on form HUD-4122, **Project Description**, but the use of this form is not required).

d. A SCHEDULE FOR IMPLEMENTING THE PROJECT. It should be demonstrated in this application component that the project can be completed in a timely manner so that the requirements of the third sub-threshold set forth in § 953.302(a)(A)(3) are met, specifically that the project is usable or achievable generally in a two year period. The use of form HUD-4125,

Implementation Schedule, is required. In completing this form please note the following:

- 1) Project is defined as the item proposed for funding, e.g., the construction of a community building.
- 2) For each project (except planning and technical assistance), there will be at least three component activities:
 - (i) Preparation and completion of an environmental review.
 - (ii) Construction (or rehabilitation) activities.
 - (iii) Project administration.
- 3) Each of these component activities will have milestones which will be projected and tracked.
- 4) If funds have been requested for technical assistance or a planning project, these activities should be treated as separate projects.

e. **COST INFORMATION BY PROJECT.** This is a very straightforward requirement. The use of form HUD-4123, **Cost Summary**, is required. Please make sure that the detailed cost estimates provided in the application component which provides the description of the project are accurately reflected in the cost summary.

An estimate of indirect costs may be included on the cost summary, but only if the indirect cost negotiation agreement is submitted with the application. (Please note: since the cost of an OMB Circular A-128 audit is an indirect cost item, if an amount is entered on the cost summary for indirect cost, a separate amount for audit should not be included). As is indicated above, the total of administrative costs (direct and indirect) and planning costs cannot exceed 20 percent of the total grant award. Also as indicated, the amount provided for technical assistance activities cannot exceed ten percent of the grant award.

A guidance document, **Definitions and Discussion of Administrative and Planning Versus Project Costs**, is included in Part IV B of this kit to aid you in the preparation of the cost summary.

3. **Certifications, form HUD-4126.** This is a required form. Should you have any questions regarding any of the matters to which assurance and certification is required, contact the ONAP office that serves your community.

4. **Drug-free Workplace Certification.** A sample certification is included in the Appendix.

5. **Applicant/Recipient Disclosure/Update Report, form HUD 2880.** This form is required and must be completed and submitted by all applicants to comply with Section 102 of the HUD Reform Act of 1989 (Public Law 101-235). Please note the following:

If the amount of assistance requested from HUD, states, and units of general local governments for the project in your application is less than \$200,000 (in total), only Parts I and II of the form must be completed.

If the \$200,000 threshold is met or exceeded, Part III must list all other Federal, state or local funds requested (or to be provided to the project) regardless of amount.

References in the instructions to the form to HUD housing projects do not apply to ICDBG funded housing activities. Therefore, the applicant should check the "No" box under Part II(2) and sign where indicated.

Interested parties (as defined in the instructions to the form) must only be listed in Part IV if their monetary interest in the project will exceed \$50,000 or 10% of the assistance requested, whichever is less. However, these dollar or percentage thresholds do not apply to consultants who have assisted in the preparation of the application. They must be listed no matter what the dollar amount of their contract with the applicant.

For Part V--**Report on Sources and Uses of Funds**--please note that if information on sources and uses of all funds has been provided elsewhere in the application (such as on Form HUD 4123, **Cost Summary**), it is not necessary to repeat the information in Part V. You must, however, note on Form 2880, where the information is located in the application.

6. **A map.** For most types of projects, a map which identifies the location of the proposed project and its service area will aid in the review of your application. Please remember that certain of the individuals involved in the review of your application may have no personal knowledge of your community and a map with this information will assist them in their review.

7. Displacement or temporary relocation information. If the proposed project will result in displacement or temporary relocation, a statement that identifies (a) the number of persons (families, individuals, businesses and nonprofit organizations) occupying the property on the date of the submission; (b) the number to be displaced or temporarily relocated; (c) the estimated cost of relocation payments and other services; (d) the source of funds for relocation; and (e) the organization that will carry out the relocation activities must be included. Please note: ICDBG funds may be used to pay for eligible costs related to temporary relocation or displacement (see § 953.602 for a description of grantee responsibilities).

8. Evidence of public disclosure (if applicable). This would be a required application component for a housing rehabilitation or new housing construction if the proposed recipient of such assistance was a covered person as defined in § 953.606(c). See § 953.606(e) for requirements.

9. Demographic data requirements- certification and survey form. The primary objective of the ICDBG Program is that not less than 70 percent of the funds of each single purpose grant must be used for activities that benefit low and moderate income persons. One way to meet this objective is to demonstrate that at least 51 percent of the persons who will benefit from the proposed project are of low or moderate income status (see below under **Special Cases** for other ways). HUD will use the best available demographic data to determine compliance with the 51% requirement. Applicants can rely on published data or conduct their own survey if they believe that generally published data is substantially inaccurate or incomplete. Sometimes (see below) the applicant has no choice but to submit a survey. If this is the case, the **Demographic Data Certification and Survey Form** (or its equivalent) must be used and submitted. The Area ONAP that serves your community has available low and moderate income limits by household size for your area. Contact that office for a copy of this information.

COMMON SITUATIONS ARE PRESENTED BELOW. IF YOU BELIEVE THAT YOUR PROJECT DOES NOT FIT ONE OF THESE SITUATIONS, PLEASE CONTACT THE AREA ONAP THAT SERVES YOUR COMMUNITY.

Use of Published Data: Area-wide Benefit Activities. Area-wide activities are those such as a community center that would serve the entire village or reservation. Census Bureau data has been used by some applicants to determine the percentage of low and moderate income persons by geographic area. The Area ONAP that serves your community may be able to provide this information for your area.

Applicant Generated Data: When it is necessary. There are circumstances under which an applicant MUST prepare and submit demographic data to meet the low and moderate income person benefit requirement:

- For area-wide benefit activities, if the service area is one that is listed as having less than 51% low-and moderate-income persons, but the applicant feels that the published data is inaccurate, other demographic data can be submitted for review. If the reliability of this information can be verified, it will be used by HUD. In addition, there will often be situations in which census data is not available for the service area of an area- wide benefit activity

- For activities with other than an area -wide benefit, in all cases involving a discrete geographic area (such as a water/sewer extension) where the project will benefit a small area of the community, information must be provided to establish that at least 51 percent of the persons to be served are of low or moderate income status.

Please Note: For housing rehabilitation projects, all single family units to be rehabilitated must be occupied by low or moderate income households. For new housing construction projects, all proposed beneficiary households must be of low or moderate income status.

HUD will review and accept demographic data provided by an applicant, if it is determined that:

- Generally available, published data are substantially inaccurate or incomplete;
- The data provided has been collected systematically; and
- The data is, to the greatest extent feasible, independently verifiable.

If HUD does not accept the data provided, the best available data will be used.

The applicant must make specific certifications regarding the information as required by the NOFA. To ensure compliance with this requirement, a guide Demographic Data and Certification form has been provided in the **Appendix** to this kit.

Special Cases

- Economic Development Projects. The 51% low or moderate income benefit requirement is evaluated in one of two ways:

- 1) By determining how many of the total number of jobs being created (or retained) will be available to (or are held by) low-and moderate-income persons. Availability is determined by the type and degree of skills required to qualify for the jobs created, as well as actions to be taken to insure that low-and moderate-income persons receive first consideration for the jobs; or,
 - 2) If the purpose/impact of the project is to provide goods or services to an area in which at least 51 percent resident households are of low or moderate income status, the income characteristics of the service area would have to be documented as indicated above.
- Groups presumed to be principally of low or moderate income status. Projects that would exclusively serve a population or group presumed to be of low or moderate income status. Certain groups are presumed by HUD to be composed principally (but not entirely) of low or moderate income persons [see 24 CFR 570.208(a)(2)(A)]. These groups are abused children, battered spouses, the elderly, handicapped persons, homeless persons, illiterate persons, and migrant farm workers. Proposed projects which would exclusively serve one of these groups automatically meet the 51 percent low or moderate income benefit requirement.

Please note: this presumption of benefit will not affect point award under the Benefits the Neediest Segment of the Population rating factors for Community Facilities - Infrastructure or Buildings. The award of points under these factors will be based on the provision in the application of beneficiary income information by household size.

E. Technical Assistance Workshops

Each Area ONAP will conduct three workshops concerning this ICDBG funding round. An application workshop will be held for all eligible applicants to answer any questions about application requirements, process, and the rating criteria to be used. A second workshop which will concentrate on NOFA requirements for economic development projects will be conducted for all applicants preparing applications for these types of projects. A third workshop will be held with all successful applicants to discuss and/or explain program implementation requirements. The Area ONAP which serves your community will advise you of the dates of these workshops.

F. Corrections to Deficient Applications and Supplemental Information

As stated in the NOFA, HUD will request information after the submission deadline to correct technical deficiencies. Examples of curable technical deficiencies include failure to submit proper certifications or an original signature on an application. HUD also may request information to resolve inconsistencies or ambiguities in the application. Unsolicited information may not be submitted. No information submitted after the application due date can enhance a project's rating score.

Applicants will have 14 calendar days from the date of HUD's request for information to reply. If the technical deficiency is not corrected in the time allowed, the application will be rejected from further consideration. If supplemental information is requested and it is not provided in the time allowed and as a consequence HUD determines that the applicant has failed to achieve compliance with the requirements of 24 CFR 953, the application will be returned, unrated.

G. Provision of Information and Technical Assistance by HUD

Section 103 of the HUD Reform Act of 1989 prohibits the unauthorized disclosure of "covered selection information" during the selection process for many HUD grant programs.

Section 103 is only applicable to HUD assistance that is distributed on a competitive basis. The purpose of the statute is to ensure that no applicant receives information that provides a competitive advantage during the selection process.

Section 103 is only applicable during a selection process. The selection process begins when the official responsible for providing the assistance forwards a request, or draft Notice of Fund Availability (NOFA), to the (HUD Headquarters) Office of General Counsel (OGC) for assistance in publishing a NOFA in the Federal Register. Even prior to the date of a request, employees may not provide information that would provide a competitive advantage to an applicant.

Section 103 only restricts the disclosure of covered selection information. Covered selection information includes information contained in an application submitted for assistance. Covered selection information does not include information that is generally available to the public. Information about program requirements that is available, or made available, to all potential applicants for the assistance is not covered selection information. As a result, information in the law establishing the program, information contained in the NOFA, and procedures that are required to process an application are not considered covered information.

Section 103 does not prevent HUD employees from providing technical assistance to potential applicants; in fact, HUD employees are encouraged to provide such assistance. Technical assistance includes activities such as explaining and responding to questions concerning program regulations, defining terms in an application kit or package, and providing other forms of technical guidance described in the NOFA. In addition, before the

deadline for the submission of applications, employees may assist applicants by reviewing draft applications and identifying those parts that need substantive improvement. HUD employees may not, however, advise the applicant on how to make the improvements.

H. Resolutions

There may be tribal council resolutions which would have to be submitted with the application. For certain types of projects, the NOFA may require that a resolution be adopted and submitted to address a threshold requirement or a resolution may be necessary to address a requirement of a selection criterion. An omnibus resolution may be submitted for all other requirements applicable to your project. Resolutions must include all elements required by the threshold or selection criterion.

A listing of the resolutions referenced or indicated in the NOFA follows:

Leveraging

If an applicant wishes to have a tribal contribution to the proposed project considered for point award for any type of project which has a leveraging rating criterion, a tribal council resolution which includes the information specified in the NOFA under the definition of leverage must be included.

Housing Rehabilitation

To meet a threshold requirement, rehabilitation standards and policies must be adopted by resolution. (The standards and policies must be submitted with the application). Since resolutions should be current, a readoption clause in an omnibus resolution will be adequate in cases where the council adopted standards more than one year before the application deadline.

Land to Support New Housing

To be considered for point award under the fifth selection criterion under the Planning and Implementation subfactor, a resolution must be submitted which evidences the applicant's commitment to pay (or guarantee payment) of

all taxes and fees on the land to be acquired for any period of time it anticipates it will own the property in fee.

New Housing Construction

To meet a threshold requirement, construction standards and construction policies must be adopted by resolution and this resolution must be included in the application. Please refer to the NOFA for a description of the documentation or information that must accompany this resolution.

To be considered for point award under the second rating criterion under the Project Need and Design subfactor, a resolution which adopts housing construction policies and a plan must be submitted. (The policies and the plan must also be submitted).

To be considered for point award under the first rating criterion under the Planning and Implementation subfactor, a resolution which adopts reasonable occupancy standards must be submitted. The standards must also be submitted.

Community Facilities - Infrastructure and Buildings

To receive consideration for point award under the rating criterion which addresses an operations and maintenance plan, if the applicant is to operate and maintain the facility, the applicant must include a resolution which adopts a viable plan for maintenance and operation of the proposed project. This resolution must identify the total annual dollar amount committed. (The plan must also be submitted).

Economic Development

To receive consideration for point award under the last rating criterion listed under Additional Considerations, a resolution must be submitted which evidences the commitment for the use of profits from the assisted tribally owned business as required by the NOFA.

PART II--ELIGIBLE AND INELIGIBLE ACTIVITIES

A. General Policies. The general rule is that any activity not specifically authorized under the provisions of 24 CFR 953.201 through 206, consistent with the general policies of §953.200, is ineligible to be carried out with grant funds. Specific regulatory language of § 953.200 - 206 has been provided for your guidance. Please note that as stated in §953.300(b), HUD will not reimburse or recognize any costs incurred before submission of the single purpose grant application and will not normally reimburse or recognize costs incurred before HUD approval of an application for funding.

B. Eligible Activities.

§ 953.200 General policies.

An activity may be assisted in whole or in part with ICDBG funds only if the activity meets the eligibility requirements of section 105 of the Act as further defined in this subpart and if the criteria for compliance with the primary objective of the Act set forth under § 953.208 have been met. The requirements for compliance with the primary objective of the Act do not apply to imminent threat grants funded under subpart E of this part.

§ 953.201 Basic eligible activities.

ICDBG funds may be used for the following activities:

- (a) Acquisition. Acquisition in whole or in part by the grantee, or other public or private nonprofit entity, by purchase, long-term lease, donation, or otherwise, of real property (including air rights, water rights, rights-of-way, easements, and other interests therein) for any public purpose, subject to the limitations of § 953.207.
- (b) Disposition. Disposition, through sale, lease, donation, or otherwise, of any real property acquired with ICDBG funds or its retention for public purposes, including reasonable costs of temporarily managing such property or property acquired under urban renewal, provided that the proceeds from any such disposition shall be program income subject to the requirements set forth in § 953.503.
- (c) Public facilities and improvements. Acquisition, construction, reconstruction, rehabilitation or installation of public facilities and improvements,

except as provided in § 953.207(a), carried out by the grantee or other public or private nonprofit entities. In undertaking such activities, design features and improvements which promote energy efficiency may be included. [However, activities under this paragraph may be directed to the removal of material and architectural barriers that restrict the mobility and accessibility of elderly or severely disabled persons to publicly owned and privately owned buildings, facilities, and improvements including those provided for in § 953.207(a)(1).] Such activities may also include the execution of architectural design features, and similar treatments intended to enhance the aesthetic quality of facilities and improvements receiving ICDBG assistance. Facilities designed for use in providing shelter for persons having special needs are considered public facilities and not subject to the prohibition of new housing construction described in § 953.207(b)(3). Such facilities include shelters for the homeless; convalescent homes; hospitals, nursing homes; battered spouse shelters; halfway houses for run-away children, drug offenders or parolees; group homes for mentally retarded persons and temporary housing for disaster victims. In certain cases, nonprofit entities and subrecipients including those specified in § 953.204 may acquire title to public facilities. When such facilities are owned by nonprofit entities or subrecipients, they shall be operated so as to be open for use by the general public during all normal hours of operation. Public facilities and improvements eligible for assistance under this paragraph are subject to the following policies in (1) through (3).

- (1) Special policies governing facilities. The following special policies apply to:
 - (i) Facilities containing both eligible and ineligible uses. A public facility otherwise eligible for assistance under the ICDBG program may be provided with ICDBG funds even if it is part of a multiple use building containing ineligible uses, if:
 - (A) The facility which is otherwise eligible and proposed for assistance will occupy a designated and discrete area within the larger facility; and
 - (B) The grantee can determine the costs attributable to the facility proposed for assistance as separate and distinct from the overall costs of the multiple-use building and/or facility. Allowable costs are limited to those attributable to the eligible portion of the building or facility.
 - (ii) Equipment purchase. As stated in § 953.207(b)(1), the purchase of equipment with ICDBG funds is generally ineligible. However, the purchase of construction equipment for use as part of solid waste facility is eligible. In addition, the purchase of fire protection equipment is considered to be an integral part of a public facility, and, therefore, the purchase of such equipment is also eligible.
- (2) Fees for use of facilities. Reasonable fees may be charged for the use of the facilities assisted with ICDBG funds, but charges such as excessive membership fees, which will have the effect of precluding low and moderate income persons from using the facilities, are not permitted.
- (3) Special assessments under the ICDBG program. The following policies relate to special assessments under the ICDBG program:
 - (i) Definition of special assessment. The term "special assessment"

means the recovery of the capital costs of a public improvement, such as streets, water or sewer lines, curbs, and gutters, through a fee or charge levied or filed as a lien against a parcel of real estate as a direct result of benefit derived from the installation of a public improvement, or a one-time charge made as a condition of access to a public improvement. This term does not relate to taxes, or the establishment of the value of real estate for the purpose of levying real estate, property, or ad valorem taxes, and does not include periodic charges based on the use of a public improvement, such as water or sewer user charges, even if such charges include the recovery of all or some portion of the capital costs of the public improvement.

(ii) Special assessments to recover capital costs. Where ICDBG funds are used to pay all or part of the cost of a public improvement, special assessments may be imposed as follows:

(A) Special assessments to recover the ICDBG funds may be made only against properties owned and occupied by persons not of low and moderate income. Such assessments constitute program income.

(B) Special assessments to recover the non-ICDBG portion may be made provided that ICDBG funds are used to pay the special assessment on behalf of all properties owned and occupied by low and moderate income persons; except that ICDBG funds need not be used to pay the special assessments on behalf of properties owned and occupied by moderate income persons if the grantee certifies that it does not have sufficient ICDBG funds to pay the assessments in behalf of all of the low and moderate income owner-occupant persons. Funds collected through such special assessments are not program income.

(iii) Public improvements not initially assisted with ICDBG funds. The payment of special assessments with ICDBG funds constitutes ICDBG assistance to the public improvement. Therefore, ICDBG funds may be used to pay special assessments provided:

(A) The installation of the public improvements was carried out in compliance with requirements applicable to activities assisted under this part including environmental and citizen participation requirements; and
(B) The installation of the public improvement meets a criterion for the primary objective in § 953.208; and,

(C) The requirements of § 953.201(c)(3)(ii)(B) are met.

(d) Clearance activities. Clearance, demolition, and removal of buildings and improvements, including movement of structures to other sites. Demolition of HUD-assisted housing units may be undertaken only with the prior approval of HUD.

(e) Public services. Provision of public services (including labor, supplies, materials, and the purchase of personal property and furnishings) which are directed toward improving the community's public services and facilities, including but not limited to those concerned with employment, crime prevention, child care, health, drug abuse, education, fair housing counseling, energy conservation, welfare (but excluding the provision of income payments identified under § 953.207(b)(4)), homebuyer downpayment assistance or recreational needs. To be eligible for ICDBG assistance, a public service must be either a new service, or a quantifiable increase in the level of an existing service above that which has been provided by or on behalf of the grantee through funds raised by the grantee, or received by the grantee from the Federal government in the twelve calendar months before the submission of the application for ICDBG assistance. (An exception to this requirement may be made if HUD determines that any decrease in the level of a service was the result of events not within the control of the grantee.) The amount of ICDBG funds used for public services shall not exceed 15 percent of the grant. Such projects must therefore be submitted with one or more other projects, which must comprise at least 85 percent of the total requested ICDBG grant amount.

(f) Interim assistance.

(1) The following activities may be undertaken on an interim basis in areas exhibiting objectively determinable signs of physical deterioration where the grantee has determined that immediate action is necessary to arrest the deterioration and that permanent improvements will be carried out as soon as practicable:

(i) The repairing of streets, sidewalks, parks, playgrounds, publicly owned utilities, and public buildings; and

(ii) The execution of special garbage, trash, and debris removal, including neighborhood cleanup campaigns, but not the regular curbside collection of garbage or trash in an area.

(2) In order to alleviate emergency conditions threatening the public health and safety in areas where the chief executive officer of the grantee determines that such an emergency condition exists and requires immediate resolution, ICDBG funds may be used for:

(i) The activities specified in paragraph (f)(1) of this section, except for the repair of parks and playgrounds;

(ii) The clearance of streets, including snow removal and similar activities, and

(iii) The improvement of private properties.

(3) All activities authorized under paragraph (f)(2) of this section are limited to the extent necessary to alleviate emergency conditions.

(g) Payment of non-Federal share. Payment of the non-Federal share required in connection with a Federal grant-in-aid program undertaken as part of ICDBG activities, provided, that such payment shall be limited to activities otherwise eligible and in compliance with applicable requirements under this subpart.

(h) Relocation. Relocation payments and other assistance for permanently and temporarily relocated individuals families, businesses, nonprofit organizations, and farm operations where the assistance is

(1) Required under the provisions of § 953.602 (b) or (c); or

(2) Determined by the grantee to be appropriate under the provisions of § 953.602(d).

(i) Loss of rental income.

Payments to housing owners for

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losses of rental income incurred in holding, for temporary periods, housing units to be used for the relocation of individuals and families displaced by program activities assisted under this part.

(j) Housing services. Housing services, as provided in section 105(a)(21) of the Housing and Community Development Act of 1974 [42 U.S.C. 5305(a)(21)].

(k) Privately owned utilities. ICDBG funds may be used to acquire, construct, reconstruct, rehabilitate, or install the distribution lines and facilities of privately owned utilities, including the placing underground of new or existing distribution facilities and lines.

(l) The provision of assistance to facilitate economic development.

(1) The provision of assistance either through the grantee directly or through public and private organizations, agencies, and other subrecipients (including nonprofit and for-profit subrecipients) to facilitate economic development by:

(i) Providing credit, including, but not limited to, grants, loans, loan guarantees, and other forms of financial support, for the establishment, stabilization, and expansion of microenterprises;

(ii) Providing technical assistance, advice, and business support services to owners of microenterprises and persons developing microenterprises; and

(iii) Providing general support, including, but not limited to, peer support programs, counseling, child care, transportation, and other similar services, to owners of microenterprises and persons developing microenterprises.

(2) Services provided under paragraph (l) of this section shall not be subject to the restrictions on public services contained in § 953.201(e).

(3) For purposes of this paragraph (l), "persons developing microenterprises" means such persons who have expressed interest and who are, or after an initial screening process are expected to be, actively working toward developing businesses, each of which is expected to be a

microenterprise at the time it is formed.

(m) Technical assistance. Provision of technical assistance to public or nonprofit entities to increase the capacity of such entities to carry out eligible neighborhood revitalization or economic development activities. Capacity building for private or public entities (including grantees) for other purposes may be eligible as a planning cost under § 953.205.

(n) Assistance to institutions of higher education. Provision of assistance by the grantee to institutions of higher education where the grantee determines that such an institution has demonstrated a capacity to carry out eligible activities under this subpart.

(o) Homeownership assistance. ICDBG funds may be used to provide direct homeownership assistance to low- and moderate - income households to:

(1) Subsidize interest rates and mortgage principal amounts for low- and moderate-income homebuyers;

(2) Finance the acquisition by low- and moderate-income homebuyers, of housing that is occupied by the homebuyers;

(3) Acquire guarantees for mortgage financing obtained by low- and moderate-income homebuyers from private lenders (except that ICDBG funds may not be used to guarantee such mortgage financing directly, and grantees may not provide such guarantees directly);

(4) Provide up to 50 percent of any downpayment required from a low- and moderate-income homebuyer; or

(5) Pay reasonable closing costs (normally associated with the purchase of a home) incurred by a low- or moderate-income homebuyer.

§ 953.202 Eligible rehabilitation and preservation activities.

(a) Types of buildings and improvements eligible for rehabilitation or reconstruction assistance. ICDBG funds may be

used to finance the rehabilitation of:

(1) Privately owned buildings and improvements for residential purposes; improvements to a single-family residential property which is also used as a place of business, which are required in order to operate the business, need not be considered to be rehabilitation of a commercial or industrial building, if the improvements also provide general benefit to the residential occupants of the building;

(2) Low-income public housing and other publicly owned residential buildings and improvements;

(3) Publicly or privately owned commercial or industrial buildings, except that the rehabilitation of such buildings owned by a private for-profit business is limited to improvements to the exterior of the building and the correction of code violations (further improvements to such buildings may be undertaken pursuant to § 953.203(b)); and

(4) Nonprofit-owned nonresidential buildings and improvements not eligible under § 953.201(c);

(5) Manufactured housing when such housing constitutes part of the community's permanent housing stock.

(b) Types of assistance. ICDBG funds may be used to finance the following types of rehabilitation or reconstruction activities, and related costs, either singly, or in combination, through the use of grants, loans, loan guarantees, interest supplements, or other means for buildings and improvements described in paragraph (a) of this section, except that rehabilitation of commercial or industrial buildings is limited as described in paragraph (a)(3) of this section.

(1) Assistance to private individuals and entities, including profit making and nonprofit organizations, to acquire for the purpose of rehabilitation, and to rehabilitate properties, for use or resale for residential purposes;

(2) Labor, materials, and other costs of rehabilitation of properties, including repair directed toward an accumulation of deferred

maintenance, replacement of principal fixtures and components of existing structures, installation of security devices, including smoke detectors and dead bolt locks, and renovation through alterations, additions to, or enhancement of existing structures, which may be undertaken singly, or in combination;

(3) Loans for refinancing existing indebtedness secured by a property being rehabilitated with ICDBG funds if such financing is determined by the grantee to be necessary or appropriate to achieve the grantee's community development objectives;

(4) Improvements to increase the efficient use of energy in structures through such means as installation of storm windows and doors, siding, wall and attic insulation, and conversion, modification, or replacement of heating and cooling equipment, including the use of solar energy equipment;

(5) Improvements to increase the efficient use of water through such means as water saving faucets and shower heads and repair of water leaks;

(6) Connection of residential structures to water distribution lines or local sewer collection lines;

(7) For rehabilitation carried out with ICDBG funds, costs of:

(i) Initial homeowner warranty premiums;

(ii) Hazard insurance premiums, except where assistance is provided in the form of a grant; and

(iii) Flood insurance premiums for properties covered by the Flood Disaster Protection Act of 1973, pursuant to 24 CFR 58.6(a).

(iv) Procedures concerning inspection and testing for and treatment and abatement of defective paint surfaces and lead-based paint, pursuant to § 953.607.

(8) Costs of acquiring tools to be lent to owners, tenants, and others who will use such tools to carry out rehabilitation;

(9) Rehabilitation services, such as rehabilitation counseling, energy auditing, preparation of work specifications, loan processing, inspections, and other services related to assisting owners, tenants, contractors, and other entities, participating or seeking to participate in rehabilitation

activities authorized under this section;

(10) Improvements designed to remove material and architectural barriers that restrict the mobility and accessibility of elderly or severely disabled persons to buildings and improvements eligible for assistance under paragraph (a) of this section.

(c) Code enforcement. Code enforcement in deteriorating or deteriorated areas where such enforcement together with public or private improvements, rehabilitation, or services to be provided, may be expected to arrest the decline of the area.

(d) Historic preservation. ICDBG funds may be used for the rehabilitation, preservation or restoration of historic properties, whether publicly or privately owned. Historic properties are those sites or structures that are either listed in or eligible to be listed in the National Register of Historic Places, listed in a State or local inventory of historic places, or designated as a State or local landmark or historic district by appropriate law or ordinance. Historic preservation, however, is not authorized for buildings for the general conduct of government.

(e) Renovation of closed buildings. ICDBG funds may be used to renovate closed buildings, such as closed school buildings, for use as an eligible public facility or to rehabilitate such buildings for housing.

§ 953.203 Special economic development activities.

A grantee may use ICDBG funds for special economic development activities in addition to other activities authorized in this subpart which may be carried out as part of an economic development project.

Special activities authorized under this section do not include assistance for the construction of new housing. Special economic development activities include:

(a) The acquisition, construction, reconstruction, rehabilitation or installation of commercial or industrial buildings, structures, and other real property equipment and improvements, including railroad spurs or similar extensions. Such activities may be carried out by the

grantee or public or private nonprofit subrecipients.

(b) The provision of assistance to a private for-profit business, including, but not limited to, grants, loans, loan guarantees, interest supplements, technical assistance, and other forms of support, for any activity where the assistance is necessary or appropriate to carry out an economic development project, excluding those described as ineligible in § 953.207(a). In order to ensure that any such assistance does not unduly enrich the for-profit business, the grantee shall conduct an analysis to determine that the amount of any financial assistance to be provided is not excessive, taking into account the actual needs of the business in making the project financially feasible and the extent of public benefit expected to be derived from the economic development project. The grantee shall document the analysis as well as any factors it considered in making its determination that the assistance is necessary or appropriate to carry out the project. The requirement for making such a determination applies whether the business is to receive assistance from the grantee or through a subrecipient.

§ 953.204 Special activities by Community-Based Development Organizations (CBDOs).

(a) Eligible activities. The grantee may provide ICDBG funds as grants or loans to any CBDO qualified under this section to carry out a neighborhood revitalization, community economic development, or energy conservation project. The funded project activities may include those listed as eligible under this subpart, and, except as described in paragraph (b) of this section, activities not otherwise listed as eligible under this subpart. For purposes of qualifying as a project under paragraphs (a)(1), (a)(2), and (a)(3) of this section, the funded activity or activities may be considered either alone or in concert with other project activities either being carried out or for which funding has been committed. For purposes of this section:

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(1) Neighborhood revitalization project includes activities of sufficient size and scope to have an impact on the decline of a geographic location within the jurisdiction of a grantee (but not the entire jurisdiction) designated in comprehensive plans, ordinances, or other local documents as a neighborhood, village, or similar geographical designation; or the entire jurisdiction of a grantee which is under 25,000 population;

(2) Community economic development project includes activities that increase economic opportunity, principally for persons of low- and moderate-income, or that stimulate or retain businesses or permanent jobs, including projects that include one or more such activities that are clearly needed to address a lack of affordable housing accessible to existing or planned jobs;

(3) Energy conservation project includes activities that address energy conservation, principally for the benefit of the residents of the grantee's jurisdiction; and

(4) To carry out a project means that the CBDO undertakes the funded activities

directly or through contract with an entity other than the grantee, or through the provision of financial assistance for activities in which it retains a direct and controlling involvement and responsibilities.

(b) Ineligible activities.

Notwithstanding that CBDOs may carry out activities that are not otherwise eligible under this subpart, this section does not authorize:

(1) Carrying out an activity described as ineligible in § 953.207(a);

(2) Carrying out public services that do not meet the requirements of § 953.201(e), except services carried out under this section that are specifically designed to increase economic opportunities through job training and placement and other employment support services, including, but not limited to, peer support programs, counseling, child

care, transportation, and other similar services;

(3) Carrying out an activity that would otherwise be eligible under § 953.205 or § 953.206, but that would result in the grantee's exceeding the spending limitation in § 953.206.

(c) Eligible CBDOs. (1) A CBDO qualifying under this section is an organization which has the following characteristics:

(i) Is an association or corporation organized under State or local law to engage in community development activities (which may include housing and economic development activities) primarily within an identified geographic area of operation within the jurisdiction of the grantee; and

(ii) Has as its primary purpose the improvement of the physical, economic or social environment of its geographic area of operation by addressing one or more critical problems of the area, with particular attention to the needs of persons of low and moderate income; and

(iii) May be either non-profit or for-profit, provided any monetary profits to its shareholders or members must be only incidental to its operations; and

(iv) Maintains at least 51 percent of its governing body's membership for low- and moderate-income residents of its geographic area of operation, owners or senior officers of private establishments and other institutions located in and serving its geographic area of operation, or representatives of low- and moderate-income neighborhood organizations located in its geographic area of operation; and

(v) Is not an agency or

instrumentality of the grantee and does not permit more than one-third of the membership of its governing body to be appointed by, or to consist of, elected or other public officials or employees or officials of an ineligible entity (even though such persons may be otherwise qualified under paragraph (c)(1)(iv) of this section); and

(vi) Except as otherwise authorized in paragraph (c)(1)(v) of this

section, requires the members of its governing body to be nominated and approved by the general membership of the organization, or by its permanent governing body; and

(vii) Is not subject to requirements under which its assets revert to the grantee upon dissolution; and

(viii) Is free to contract for goods and services from vendors of its own choosing.

(2) A CBDO that does not meet the criteria in paragraph (c)(1) of this section may also qualify as an eligible entity under this section if it meets one of the following requirements:

(i) Is an entity organized pursuant to section 301(d) of the Small Business Investment Act of 1958 (15 U.S.C. 681(d)), including those which are profit making; or

(ii) Is an SBA approved Section 501 State Development Company or Section 502 Local Development Company, or an SBA Certified Section 503 Company under the Small Business Investment Act of 1958, as amended; or

(iii) Is a Community Housing Development Organization (CHDO) under 24 CFR 92.2, designated as a CHDO by the HOME Investment Partnerships program participating jurisdiction, with a geographic area of operation of no more than one neighborhood, and has received HOME funds under 24 CFR 92.300 or is expected to receive HOME funds as described in and documented in accordance with 24 CFR 92.300(e); or

(iv) Is a tribal-based nonprofit organization. Such organizations are associations or corporations duly organized to promote and undertake community development activities on a not-for-profit basis within an identified service area.

(3) A CBDO that does not qualify under paragraphs (c)(1) or (2) of this section may also be determined to qualify as an eligible entity under this section if the grantee demonstrates to the satisfaction of HUD, through the provision of information regarding the organization's charter and by-laws, that the organization is sufficiently similar in purpose, function, and

scope to those entities qualifying under the above-referenced paragraphs.

§ 953.205 Eligible planning, urban environmental design and policy-planning-management capacity building activities.

(a) Planning activities which consist of all costs of data gathering, studies, analysis, and preparation of plans and the identification of actions that will implement such plans, including, but not limited to comprehensive plans, community development plans and functional plans in areas such as housing and economic development. In addition, other plans and studies such as capital improvements programs, individual project plans, general environmental studies, and strategies and action programs to implement plans, including the development of codes and ordinances are also eligible activities. With respect to the costs of individual project plans, engineering and design costs related to a specific activity are eligible as part of the cost of such activity under §§ 953.201-953.204 and are not considered planning costs. Also, costs necessary to comply with the requirements of 24 CFR part 58, including project specific environmental assessments and clearances for activities eligible under this part are eligible as part of the cost of such activities under §§ 953.201-204.

(b) Policy -- planning -- management -- capacity building activities including those which will enable the grantee to determine its needs, set long term goals and short term objectives, devise programs to meet these goals and objectives, evaluate the progress being made in accomplishing the goals and objectives. In addition, actions necessary to carry out management, coordination and monitoring of activities necessary for effective planning implementation are eligible planning activities, however the costs necessary to implement the plans are not.

§ 953.206 Program administration costs.

ICDBG funds may be used for the payment of reasonable administrative costs and carrying charges related to the planning and execution of community development activities assisted in whole or in part with funds provided under this part. No more than 20 percent of the sum of any grant plus program income received shall be expended for activities described in this section and in § 953.205 - Eligible planning, urban environmental design and policy-planning-management capacity building activities. This does not include staff and overhead costs directly related to carrying out activities eligible under §§ 953.201-953.204, since those costs are eligible as part of such activities. In addition, technical assistance costs associated with developing the capacity to undertake a specific funded activity are also not considered program administration costs. These costs must not, however, exceed 10% of the total grant award.

(a) General management, oversight and coordination. Reasonable costs of overall program management, coordination, monitoring, and evaluation. Such costs include, but are not necessarily limited to, necessary expenditures for the following:

(1) Salaries, wages, and related costs of the grantee's staff, the staff of local public agencies, or other staff engaged in program administration. In charging costs to this category the grantee may either include the entire salary, wages, and related costs allocable to the program of each person whose primary responsibilities with regard to the program involve program administration assignments, or the pro rata share of the salary, wages, and related costs of each person whose job includes any program administration assignments. The grantee may use only one of these methods during the grant period. Program administration includes the following types of assignments:

(i) Providing tribal officials and citizens with information about the program;

(ii) Preparing program budgets and schedules, and amendments thereto;

(iii) Developing systems for assuring compliance with program requirements;

(iv) Developing interagency agreements and agreements with subrecipients and contractors to carry out program activities;

(v) Monitoring program activities for progress and compliance with program requirements;

(vi) Preparing reports and other documents related to the program for submission to HUD;

(vii) Coordinating the resolution of audit and monitoring findings;

(viii) Evaluating program results against stated objectives; and

(ix) Managing or supervising persons whose primary responsibilities with regard to the program include such assignments as those described in paragraph (a)(1) (i) through (viii) of this section.

(2) Travel costs incurred for official business in carrying out the program;

(3) Administrative services performed under third party contracts or agreements, including such services as general legal services, accounting services, and audit services; and

(4) Other costs for goods and services required for administration of the program, including such goods and services as rental or purchase of equipment, furnishings, or other personal property (or the payment of depreciation or use allowances for such items in accordance with OMB Circulars A-21, A-87 or A-122, as applicable), insurance, utilities, office supplies, and rental and maintenance (but not purchase) of office space.

(b) Public information. The provisions of information and other resources to residents and citizen organizations participating in the planning, implementation, or assessment of activities being assisted with ICDBG funds.

(c) Indirect Costs. Indirect costs may be charged to the ICDBG program under a cost allocation plan prepared in accordance with OMB Circulars A-21, A-87, or A-122 as applicable. **(Copies of these circulars are available from the American Communities Center by calling the following toll-free numbers: (800)998-9999 or (800)483-2209(TDD).**

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(d) Submission of applications for Federal programs. Preparation of documents required for submission to HUD to receive funds under the ICDBG program. In addition, ICDBG funds may be used to prepare applications for other Federal programs where the grantee determines that such activities are necessary or appropriate to achieve its community development objectives.

C. Ineligible Activities and Projects.

The general rule is that any activity that is not authorized under the provisions of 24 CFR

953.201-953.206 is ineligible to be assisted with CDBG funds. The regulations at 24 CFR 953.207 govern ineligible activities and should be referred to for details.

The following guidance is provided in determining the eligibility of other activities frequently associated with ICDBG projects.

1. *Government Office Space.* Buildings or portions thereof, used predominantly for the general conduct of government cannot be assisted with ICDBG funds. Those buildings include, but are not limited to, local government office buildings, courthouses, and other headquarters of government where the governing body meets regularly. Buildings that contain both governmental and non-governmental services can be assisted as long as the ICDBG funds are used only for the non-governmental sections. Your local ONAP office should be consulted for projects of this nature.

2. *General Government Expenses.* Except as otherwise specifically authorized in the regulations or under OMB Circular A-87, expenses required to carry out the regular responsibilities of the unit of general local government are not eligible for assistance with ICDBG funds.

3. *Maintenance and Operation Expenses.* The general rule is that any expenses associated with

repairing, operating, or maintaining public facilities and services is generally not eligible for assistance. Specific exceptions to this general rule are operating and maintenance expenses associated with public service activities [24 CFR 953.201(e)], office space for program staff employed in carrying out the ICDBG program [24 CFR 953.206(a)(4)], and interim assistance [24 CFR 953.201(f)]. For example, where a public service is being assisted with CDBG funds, the cost of operating and maintaining that portion of the facility in which the service is located is eligible as part of the public service. Examples of ineligible operating and maintenance expenses are:

--Maintenance and repair of streets, parks, playgrounds, water and sewer facilities, neighborhood facilities, senior centers, centers for the handicapped, parking facilities, and similar public facilities.
--Payment of salaries for staff, utility costs, and, similar expenses necessary for the operation of public works and facilities.

4. *New Housing Construction.* The construction of new permanent residential structures and any program to subsidize or finance such new construction is ineligible unless:

--Provided under the last resort housing provisions at 24 CFR 42; or
--carried out by a CBDO pursuant to 24 CFR 953.204(a).

5. *Furnishings and Personal Property.*

The purchase of equipment, fixtures, motor vehicles, furnishings, or other personal property not an integral structural fixture is generally ineligible unless:

--necessary for use in grant administration (24 CFR 953.206),
--necessary and appropriate for use in a project carried out by a CBDO (24 CFR 953.204),
--used in providing a public service (24 CFR 953.201(e)),
--used as fire fighting equipment (24 CFR 953.201(c)(1)(ii)).
ICDBG funds may be used, however, to pay depreciation or use allowances (in accordance with OMB Circular A-87 or A-122 as applicable).

6. *Construction Tools and Equipment.* The purchase of construction tools and equipment is generally ineligible, but compensation for the use of such tools and equipment through leasing, depreciation, or use allowances pursuant to OMB Circulars A-87 and A-122, as applicable, for an otherwise eligible activities is an eligible use of CDBG funds. Construction tools and equipment can only be purchased under the following two provisions.

--When used as part of a solid waste facility (24 CFR 953.201(c)(1)(ii)), or
--When necessary and appropriate for use in a project being administered by the grantee using the force account construction method.

7. *Income Payments.* The general rule is that assistance shall not be used for income payments for housing or any other purpose.

Examples of ineligible income payments include the following: payments for income maintenance, housing allowances, down payments, and mortgage subsidies.



PART III--PROJECT SPECIFIC THRESHOLDS AND GUIDANCE

PLEASE NOTE: Only project specific thresholds are discussed in this part of the Application Kit. You should refer to Section IV(a) of the NOFA for the listing and description of the overall or general thresholds which apply. Those thresholds are of two types - Applicant-Specific (these establish capacity and performance requirements for an applicant and Community Development Appropriateness (these establish requirements for all types of projects).

A. HOUSING AND HOUSING RELATED PROJECTS - THRESHOLDS AND GUIDANCE

General Threshold For All Housing Category Projects: The applicant shall provide an assurance that households that have been evicted from HUD assisted housing within the past five years will not be assisted by the proposed project, except in emergency situations. The Area ONAP Administrator will review each emergency situation proposed by an applicant on a case-by-case basis to determine whether an exception is warranted.

1) Rehabilitation Thresholds and Guidance:

THRESHOLDS

(a) All applicants for housing rehabilitation grants shall adopt rehabilitation standards and rehabilitation policies, prior to submitting an application. These standards and policies must be submitted with the application.

(b) The applicant shall provide an assurance that:

i) Any units to be rehabilitated will be the permanent non-seasonal residence of the occupant(s). The resident(s) will live in the unit at least nine months per year.

ii) Housing units slated for eventual replacement will only receive repairs essential for health and safety.

iii) Project funds will be used to rehabilitate HUD assisted units only where the tenant/homeowner's payments are current or the tenant/homeowner is current in a repayment agreement that is subject to

approval by the Area ONAP. In emergency situations the Area ONAP Administrator may grant exceptions to this requirement on a case-by-case basis.

iv) Houses that have received comprehensive rehabilitation assistance from any ICDBG or other Federal grant within the past 8 years will not receive ICDBG funds to make the same repairs if the repairs are needed as a result of abuse or neglect.

APPLICANT GUIDANCE

All single family units to be rehabilitated must be occupied by low and moderate income households. If a structure contains two units, at least one must be occupied by a low or moderate income household. If a structure contains more than 2 units, at least 51 percent of the units must be occupied by low and moderate income households.

Low and moderate income tenants occupying a rehabilitated dwelling should pay no more than 30 percent of their household income in rent.

Evidence of public disclosure must be included in the application if any proposed recipient is in the category of "persons covered" as defined in § 953.606(c). Please note that the public disclosure required by § 953.606(e) must occur prior to the submission of the application.

2. LAND TO SUPPORT NEW HOUSING - THRESHOLDS AND GUIDANCE

THRESHOLDS

(a) The application contains information and documentation which establishes that there is a reasonable ratio between the number of net usable acres to be acquired and the number of low and moderate income households with documented housing needs.

(b) Housing assistance needs must be clearly demonstrated and documented with either a survey that identifies the households to be served, their size, income levels and the condition of current housing or an IHA-approved waiting list. The survey or waiting list must be submitted with the application.

APPLICANT GUIDANCE

If the housing to be built on the land proposed for acquisition is to be provided through an IHA, there should be no reasons why the IHA cannot receive units from HUD.

Where a dwelling(s) currently exists on the land to be acquired, and the tribe plans to use that unit for housing, the applicant should submit a proposed plan that contains a method for selecting the recipient(s), and a description of the type of housing being acquired. The dwelling must meet tribal or Section 8 housing standards or the applicant should describe how the unit(s) will be brought up to these standards.

Please refer to § 953.602 for requirements related to any relocation which may occur as a result of the land acquisition project that is being proposed. This regulatory section will also provide the requirements an applicant must follow with respect to the acquisition process itself.

3. NEW HOUSING CONSTRUCTION THRESHOLDS AND GUIDANCE

THRESHOLDS

(a) New housing construction can only be implemented through an organization that is eligible under Section 570.204(c).

(b) Documentation which supports the following determinations must be included in the application:

i. No other housing is available in the immediate reservation area that is suitable for the households to be assisted.

ii. No other funding sources can meet the needs of the households to be served.

iii. The house occupied by the household to be assisted is not in standard condition and rehabilitation is not economically feasible, or the household is currently in an overcrowded house (sharing house with another household), or the household to be assisted has no current residence.

(c) All applicants for housing construction grants shall adopt construction standards and construction policies, prior to submitting an application. Applicants must identify the building code they will use to construct the unit(s). The building code may be a locally adopted tribal building code or a nationally recognized model code. If the code is a locally adopted code, it must regulate all of the areas and sub-areas identified in 24 CFR 200.925(b), and it must be reviewed and approved by the Area ONAP. If the code is recognized nationally, it must be the latest edition of one of the codes incorporated by reference in 24 CFR 200.925(c).

(d) The applicant must provide an assurance that any house to be constructed will be the permanent non-seasonal residence of the household to be assisted; this household must live in the unit at least nine months per year.

APPLICANT GUIDANCE

No current residence means that no member of the household to be assisted currently owns, rents, or leases a standard housing unit either on or off reservation. This applies to housing units located on other reservations or other trust properties as well.

The cost of homeowner counseling is an eligible cost under 24 CFR 953.204 (a) if it is necessary and appropriate to achieve an applicant's community development objectives. It could also be an eligible administrative cost or public service, subject to the restrictions placed upon the use of ICDBG funds for these purposes.

Evidence of public disclosure must be included in the application if any proposed recipient of assistance is in the category of "persons covered" as defined in § 953.606(c). Please note that the public disclosure required by § 953.606(e) must occur prior to the submission of the application.

B. COMMUNITY FACILITIES - INFRASTRUCTURE PROJECTS - THRESHOLDS AND GUIDANCE

THRESHOLDS

There are no project specific thresholds for infrastructure projects.

APPLICANT GUIDANCE

For all projects which include provision of water, waste water treatment or solid waste disposal facilities, the applicant should include with the application evidence that the project has been submitted to the Indian Health Service (IHS) for review and comment.

If the project consists of new or existing community water system improvements (defined as serving more than 25 persons or 15 households), the applicant should provide evidence that the project has been submitted to the Environmental Protection Agency (EPA) for review and comment. The purpose of this review is to establish if the community water system as proposed for repair or construction will produce water which will meet the requirements of the Safe Drinking Water Act.

C. COMMUNITY FACILITIES - BUILDINGS - THRESHOLDS AND GUIDANCE

THRESHOLDS

An applicant proposing a facility which would provide health care services Funded by the Indian Health Service (IHS) must provide an assurance that the facility meets all applicable IHS facility requirements. It is recognized that tribes which are compacting services from the IHS may establish other facility standards. These tribes must provide an assurance that these standards at least compare to nationally accepted minimum standards. Please see Section IV D of this kit, **Guidelines for Health Care Facilities**.

D. ECONOMIC DEVELOPMENT - THRESHOLDS AND GUIDANCE

THRESHOLDS

As stated in the NOFA, to conform with the requirements of the July 31, 1996 Final Rule, the threshold requirements for economic development projects have been changed from those set forth in the FY 1996 NOFA.

1. Economic development assistance may be provided only when a financial analysis is provided which shows public benefit commensurate with the assistance to the business can reasonably be expected to result from the assisted project.

2. The analysis should also establish that to the extent practicable: reasonable financial support will be committed from non-Federal sources prior to disbursement of Federal funds; any grant amount provided will not substantially reduce the amount of non-Federal support for the activity; not more than a reasonable rate of return on investment is provided to the owner; and, that grant funds used for the project will be disbursed on a pro-rata basis with amounts from other sources. In addition, it must be established that the project is financially feasible and has a reasonable chance of success.

APPLICANT GUIDANCE

To facilitate the review of the application and the determinations which must be made regarding threshold compliance and certain selection criteria, an applicant should submit a project description which includes the following information:

(a) The product or service: what the enterprise will do or produce.

(b) The location and physical facilities: regional, local and site-specific location; description of existing and proposed facilities. If land is to be acquired for the specific economic development project, the applicant should either submit evidence that the land will be taken into trust, or demonstrate compliance with zoning and other local requirements, and show that the tribe or the entity operating the business, has the ability to pay all required taxes on that land.

(c) Key production factors: requirements relating to utilities, transportation access, special technical and/or equipment requirements, market, raw materials, and labor force.

(d) Jobs/labor available: justification that the number of permanent full time equivalent jobs proposed to be created or retained by the project (full and part-time) is realistic; evidence that the project can support job costs/salaries: the costs of employment related to the jobs claimed must be reflected in the financial projections for the project. (Only full-time equivalent positions will be counted for point award under the rating criterion which is related to job creation/retention. When several part-time jobs are created or retained and it can be shown that these are long term, then a combination of jobs will be counted as full time permanent jobs, e.g., two half-time jobs equal one full-time job. A full-time job is 40 hours per week, 52 weeks per year. All applications must include a verifiable basis for job projections, including an itemized listing of jobs with wages.)

Jobs retained are those positions that would be lost if it were not for the ICDBG project. Jobs that are retained only for the period of the

grant will not count. The application must show, clearly and objectively, that jobs will be lost without the ICDBG project.

(e) The developmental entity: identification of entity to be used (e.g., local development corporation, tribe/village, private developer, joint venture).

(f) Equipment: for projects that include the purchase of equipment the appropriateness and cost effectiveness of purchasing versus leasing should be demonstrated. The use of lease financing is encouraged wherever possible to help contain development costs. (**Please note that the purchase of equipment as part of an economic development project is eligible only if the project is undertaken through a CBDO - See 24 CFR 953.204).**

(g) Financial information: applicants shall submit a detailed cost summary, evidence of funding sources, and five year operating projections of the following: balance sheet, profit and loss statement, cash flow statements, and statement of retained earnings. These projections shall be shown on a monthly basis until the cash flow is positive. Include explanations and rationale for the projections. Include key business ratios, e.g., break-even point, current ratio, quick ratio, debt equity ratio.

If the project is the expansion of an existing business, business financial statements for the most recent three year period must be submitted.

Current financial or net worth statements on the principal business owners or officers are also needed unless the tribe or Alaska Native Village will be the owner of the business.

For acquisition or expansion of existing businesses, financial statements for the most recent three year period shall be submitted in addition to the requirements in the preceding paragraphs.

(h) Economic strategy and objectives: the applicant shall describe how the proposed

project will meet the tribe's/village's economic development strategy and objectives (e.g., to create or retain permanent, private sector jobs or provide a product and service needed and affordable to native members).

Please review the specific requirements for point award under the selection criteria listed in the NOFA to ensure that the required material, information and analysis are included in the application.

PART IV- GENERAL GUIDANCE INFORMATION

A. Selection System Criteria and Point Award Summary

I. Housing	<u>Maximum Points</u>
a. Rehabilitation	
1. Project Need and Design	
a) % of funds to be used to bring houses to standard	20 pts.
b) applicant's selection criteria	10 pts.
c) housing survey	15 pts.
2. Planning and Implementation	
a) rehabilitation policies	
i) rehabilitation standards	5 pts.
ii) rehabilitation selection criteria	10 pts.
iii) project planning documents, etc.	10 pts.
b) post rehabilitation maintenance policies	5 pts.
c) cost estimates	15 pts.
d) cost effectiveness	5 pts.
3) Leveraging	<u>5 pts.</u>
	Total 100 pts.
b. Land to Support New Housing	
1) Project Need	40 pts.
2) Planning and Implementation	
a) suitability of the land	20 pts.
b) housing resources	10 pts.
c) supportive services	5 pts.
d) commitment of beneficiaries	5 pts.
e) land to trust status	5 pts.
f) infrastructure commitment	10 pts.
g) land meets need & is reasonably priced	<u>5 pts.</u>
	Total 100 pts.
c. New Housing Construction	
1) Project Need and Design	
a) IHA member/assistance	15 pts.
b) housing policies & plan	20 pts.
c) beneficiary identification	10 pts.
2) Planning and Implementation	
a) occupancy standards	10 pts.
b) site acceptability	15 pts.
c) energy conservation design	5 pts.
d) housing survey	10 pts.
e) cost effectiveness of housing	5 pts.
3) Leveraging	<u>10 pts.</u>
	Total 100 pts.
II. Community Facilities	<u>Maximum Points</u>
a. Infrastructure	
1) Project Need and Design	
a) meets an essential need	20 pts.

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b) benefits the neediest	15 pts.
c) provides infrastructure/ health & safety	25 pts.
2) Planning and Implementation	
a) maintenance and operation plan	15 pts.
b) appropriate & effective design scale & cost	15 pts.
3) Leveraging	<u>10 pts.</u>
	Total 100 pts.
b. Buildings	
1) Project Need and Design	
a) meets an essential need	20 pts.
b) benefits the neediest	10 pts.
c) provides infrastructure/health & safety	25 pts.
d) multi-use/multi-benefit	5 pts.
2) Planning and Implementation	
a) maintenance and operation plan	15 pts.
b) appropriate & effective design scale & cost	15 pts.
3) Leveraging	<u>10 pts.</u>
	Total 100 pts.
III. Economic Development	
a. Organization	8 pts.
b. Project Success	
1) Market Analysis	15 pts.
2) Management Capacity	15 pts.
3) Financial Analysis	15 pts.
c. Leveraging	12 pts.
d. Jobs	
1) ICDBG Cost/Job	15 pts.
2) Quality of Jobs/Training	5 pts.
e. Additional Considerations	<u>15 pts.</u>
	Total 100 pts.

B. Administrative , Planning and Project Costs

As has been stated above, no more than 20 percent of the ICDBG funding requested may be used for administrative or planning costs. To help prepare your **Cost Summary**, please refer to the following guidelines:

Administrative Costs

The **Cost Summary** line item (5 a) for costs related to the general management and oversight of your program will include costs for the following:

1. Salaries, wages and related costs of your staff, the staff of local public agencies or other staff engaged in program administration. Program administration includes the following types of assignments:
 - Providing local officials and citizens with information about the program;
 - Preparing program budgets, schedules and amendments thereto;
 - Developing systems for assuring compliance with program requirements;
 - Developing inter-agency agreements and agreements with sub-recipients and contractors to carry out program activities;
-

- Monitoring program activities for progress and compliance with program requirements;
- Preparing reports and other documents related to the program for submission to HUD;
- Coordinating the resolution of audit and monitoring findings;
- Evaluating program results against stated objectives;and,
- Managing or supervising persons whose primary responsibilities with regard to the program include such assignments as those described above.

2. Travel costs incurred for official business in carrying out the program.

3. Administrative services performed under third party contracts or agreements including such services as general legal services and accounting services.

4. Other costs for goods and services required for the administration of the program including such goods and services such as rental or purchase of equipment, insurance, utilities, office supplies and rental and maintenance (but not purchase) of office space.

The **Cost Summary** line item (5 b) for indirect costs will include such costs charged to the program under a cost allocation plan prepared in accordance with OMB Circular A-87.

The **Cost Summary** line item for audit (5 c) will include the anticipated ICDBG program share for your A-128 audits. Please note that a separate audit cost dollar amount should not be included if, as is generally the case, audit costs are included as an indirect cost charged to the program.

Planning Costs

The **Cost Summary** line item for costs related to planning (6) will include costs for eligible planning, urban design and policy-planning-management capacity building activities.

Project Costs

In the space provided in Section 4 of the **Cost Summary**, the following costs will be identified:

- Direct costs for the project or activity - e.g., costs of construction.
- The cost of environmental studies necessary to comply with 24 CFR Part 58 and other applicable laws including project specific clearance.
- The cost of construction/rehabilitation inspection.
- Architectural and engineering costs - the cost of engineering and design including the preparation of bid and contract documents.
- Staff and overhead costs directly related to implementing eligible activities.

C. Guidelines for Planning Projects

While the nature of planning activities does not facilitate the development and promulgation of objective evaluation criteria, there are, obviously, certain considerations which would have to be employed to determine the desirability of providing ICDBG funds for planning activities. Prior to listing these considerations it is necessary to establish or reiterate some ground rules and definitions which would come into play. Specifically:

- The total cost of planning and administrative activities included in an approved ICDBG program cannot exceed 20 percent of the total grant. By implication there can be no "planning only " programs. It would only be possible to fund planning activities if a physical development activity,e.g., hardware type activity were also funded.
- The words " planning activity or project" as used in this context is a generic phrase and is meant to cover all eligible planning, policy planning, and management capacity building activities listed as eligible activities in 24 CFR 953.205.
- Planning activities do not include engineering or architectural design activities for funded ICDBG hardware projects.
- planning activities do not include ICDBG project specific environmental clearances.
- Technical assistance activities as defined in § 953.203 are not considered planning activities. The distinction which should be drawn between technical assistance activities

and management capacity building activities is that technical assistance activities must be directly related to the implementation of a specifically identified ICDBG activity - previously funded or included in the same application.

Bearing in mind these ground rules and definitions, the following considerations should be used to evaluate the value and worthiness of planning activities included in ICDBG applications:

- Will the planning activity as described in the application directly address improvements to management capacity of the applicant through the implementation of a work program to eliminate previously identifiable or known deficiencies?
- Will the planning activity produce final products which could be implemented without further study, investigation and research?
- Does the Tribe have a positive history of implementing (or attempting to implement) the results of previous planning activities?
- Has the Tribe received significant amounts of Federal grant assistance in the past for undertaking planning activities?
- Are the planning activities oriented towards a project(s) with a high degree of implementation possibility given the capacity, location, and other pertinent characteristics of the Tribe?
- Does the proposed cost of the planning activity have a reasonable relationship to the anticipated products?
- Has the Tribe undertaken planning activities of a same or similar nature in the past? What has happened to the plans prepared?

Tribes proposing planning activities should provide a needs justification, project description and cost estimates that meet the standards set forth for other eligible activities proposed for funding. At a minimum, the following should be addressed or included:

- * The specific work plan to be undertaken including implementation time frames.
- * A project budget which identifies major items of cost.

- * A specific description of expected or anticipated work products.
- * The required qualifications of the staff or firm to be selected.
- * The magnitude and severity of the problems that create the need for the planning activities.
- * The cost effectiveness of the activity.
- * The anticipated beneficial impacts that the assistance will provide.
- * A projection or analysis of plan implementation.
- * Other relevant information the Tribe believes is necessary to address the considerations above.

D. Guidelines for Health Care Facilities

Health care facilities are special buildings with unique and often complex functional requirements. To ensure that the facility, when completed, functions as desired to provide effective health care in a safe and efficient manner, it is highly desirable that applicants for such facilities involve the IHS. It is recognized that tribes or villages compacting health care services from the IHS can establish their own facility standards. However, it is advisory that these tribes use as a minimum the same nationally recognized facility standards used by all Federal agencies, Joint Commission on Accreditation of Health Care organizations, the Health Care Financing Administration, and most state health programs. Failure to involve the IHS may jeopardize or delay access to available IHS resources, programs, and funding for operations and maintenance for the new facility.

Recommended areas of coordination with IHS are as follows.

Facility Planning

1. The proposed health care facility must be on the IHS Area-Wide Master Facilities Plan and after construction on the facilities inventory in order to be eligible for facilities management programs and routine maintenance funding.
-

The applicant must receive written documentation from the local IHS Area Director or headquarters of its inclusion.

2. If the applicant proposes to lease the health care facility to the IHS, appropriate prior authorization is required from the IHS consistent with its congressionally mandated approval process.

3. The applicant should justify and assure that it has adequate operational funding for any space within the facility.

4. It is highly recommended that the applicant hire planning and design professionals experienced in the design and construction of health care facilities.

5. If the applicant proposes to leverage the project with any IHS funds, it should receive advance written notice from the local IHS Area Director regarding the availability of these funds.

Facility Staffing

If increased staffing and operating budgets are anticipated from IHS in order to operate the new facility, the facility must be on the IHS Health Facility Priority System list. If it is not, the applicant should provide an assurance that sufficient alternative sources of funding will be available to support anticipated operational staff increases and other operations costs.

Facility Design and Construction

1. Facility design should be in accordance with the latest edition of the following:

* AIA Guidelines for Construction and Equipment of Hospital and Medical Facilities

* IHS Health Facility Planning Manual, Vols.1 &2

Compact applicants should establish and provide their standards for design and construction, if they are different.

2. The applicant should provide IHS sufficient time to comment at the four stages of design and development of the construction documents prior to advertisement for contractors. The stages are: conceptual, schematic, 50% design, and 100% design.

3. The applicant should have a registered architect or professional engineer confirm in writing that the facility as constructed ("as-built") is in full compliance with the AIA guidelines and the referenced facility standards.

E. Imminent Threat Guidelines

As stated in the NOFA, \$1,000,000 of the FY 1997 ICDBG allocation is being held in reserve as an Imminent Threat Set-Aside. A grant ceiling of \$350,000 for each Imminent Threat grant has been established. The funds available under this set-aside will be used for grants to alleviate or remove imminent threats to health or safety which require an immediate solution. Please note that the problem to be addressed must be such that an emergency situation would exist if it were not addressed. The criteria for the funding of these grants and the application process is described in detail in 24 CFR 953, subpart E. These funds will be granted on a first come, first served basis. Application requirements for imminent threat funding are set forth in Section III(a)(4) of the NOFA. The following criteria which directly reflect the regulatory requirements of § 953.400 must be addressed by the applicant and will be used in reviewing requests for assistance.

* The existence, urgency and immediacy of the threat must be verified by a qualified entity which is independent of the applicant, e.g., IHS, BIA, a county health department.

* The threat must not be recurring in nature, i.e., it must represent a unique and unusual circumstance that has been clearly identified by the applicant. A recurring problem would be more appropriately addressed by applying for funds under the regular, single purpose ICDBG program.

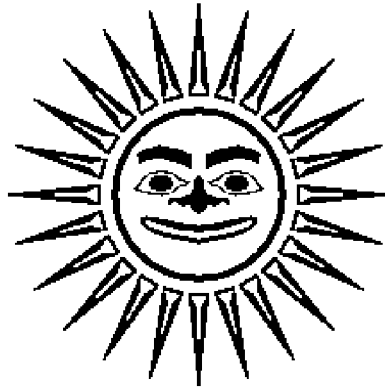
* The threat must affect or impact an entire service area and not solely an individual family or household.

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* It must be established that funds are not available from other local, state, or Federal sources to address the problem. The applicant must verify that Federal or local agencies which would normally provide assistance for such improvements or corrections have no funds available by providing a written statement to that effect. The applicant must also verify in the form of a tribal council resolution (or its equivalent) that it has no available funds for this purpose.

APPENDICES

1. SAMPLE DRUG-FREE WORKPLACE CERTIFICATION
2. SAMPLE DEMOGRAPHIC DATA AND CERTIFICATION FORM
3. ACKNOWLEDGEMENT OF APPLICATION RECEIPT
4. APPLICATION FORMS



**SAMPLE DEMOGRAPHIC DATA
AND CERTIFICATION FORM**

Applicant

Project

The following demographic data is submitted for purposes of evaluating our application for a Community Development Block Grant. By submitting this information with our application, we are certifying that:

(1) Generally available published data is substantially inaccurate or incomplete; (2) the data provided has been collected systematically; and (3) this data is, to the greatest extent feasible, independently verifiable.

DEMOGRAPHIC DATA AND CERTIFICATION FORM

1. Number of persons benefiting who are low-and moderate-income.
2. Total number of persons benefiting from project.
3. Percentage of persons benefiting who are low-and moderate-income
(line 1 divided by line 2)

CERTIFICATION

I hereby certify that to the best of my knowledge the above information is true and correct.

(President) (Chairperson) (Title-other)

ATTEST
(Secretary) (Clerk)

Notes:

1. The number of persons benefiting from the project should include both Native and non-Native served.
 2. Supporting documentation should be attached. It should include sample copies of completed survey forms, listing of incomes by household, and an explanation of the methods used to collect the demographic data.
 3. A separate demographic data form and certification (or its equivalent) must be submitted for each project which includes applicant generated data unless the service area is the same for different projects. In such instances, a separate form need not be submitted.
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ACKNOWLEDGEMENT OF APPLICATION RECEIPT

To Be Completed by the Applicant:

Provide applicant name and address in the box below in order for HUD to acknowledge receipt of the application by the application deadline:

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To Be Completed by HUD:

- Your application for Indian Community Development Block Grant assistance was received by the appropriate HUD Office of Native American Programs (ONAP) by 3:00 P.M. on the application deadline and will be considered for funding. According to Section 103 of the Department of Housing and Urban Development Reform Act of 1989 as implemented by 24 CFR 4.105(a)(1), no information will be released by HUD regarding the relative standing of any application until funding announcements are made. The only information which may be released is the total number of applicants and the identity of these applicants.
- Your application was not received by HUD by the application deadline; therefore, your application will not receive further consideration in this funding round. Your application is enclosed.

Date of receipt	Received by:	ICDBG Program Number

APPLICATION FORMS

The following are attached

SF 424-Application for Federal Assistance (**required**)

Form HUD-4121 - Needs Description (optional)

Form HUD-4122 - Project Summary (optional)

Form HUD-4125 - Implementation Schedule (**required**)

Form HUD-4123 - Cost Summary (**required**)

Form HUD-4126 - Certifications (**required**)

Form HUD-2880 Applicant/Recipient Disclosure/Update Report (**required**)

These forms may be reproduced locally if additional copies are needed.
